

# 00174 PH

**DECLARATION WITH POWER**

**Attorney's Docket No.: 0691-070**

I, the undersigned inventor hereby declare that my residence, post office address, and my citizenship are correctly stated below following my signature; that to the best of my knowledge I am the first, original and joint inventor of the invention described and claimed in the application for United States Letters Patent, having the title NOVEL HETEROARYL DERIVATIVES AND THEIR USE AS MEDICAMENTS, the description of which is being filed on July 20, 2001, and I state that I reviewed and understand the contents of the enclosed specification and claims and of any amendment thereof specifically referred to hereinabove, and recognize my obligation pursuant to 37 C.F.R. 1.56 to disclose all information that is material to the examination and prosecution of this patent application. I hereby state that I authorized the filing of this application, and that I fully understand the English language.

I hereby claim the benefit of priority under 35 U.S.C. 119 of German patent application No. 100 35 928.0, filed on July 21, 2000. A certified copy is being filed herewith.

I hereby appoint Gabriel P. Katona, Reg. No. 20,829; Henry Coleman, Reg. No. 32,559; Neil R. Sudol, Reg. No. 31,669; and William J. Sapone, Reg. No. 32,518, to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith, and I hereby request that all correspondence herein be directed to Gabriel P. Katona L.L.P., 708 Third Avenue, 14th Floor, New York, NY 10017; phone (212)370-4000; fax (212)370-7336.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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